

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

United States of America

Plaintiff

CLERK'S CERTIFICATION/INDEX

vs.

David R. Rinere

Civil/Criminal No: 10-CR-6038

Defendant

I, MICHAEL J. ROEMER, CLERK of the District Court of the UNITED STATES for the Western District of New York, DO, HEREBY CERTIFY that the foregoing docket entries, with the exception of the documents listed below are maintained electronically on the court's CM/ECF system and constitute the Record on Appeal in the above-entitled action.

The following documents are not available electronically and are currently maintained in traditional fashion in the U.S. District Court Clerk's Office.

Docket # 70, All others are filed electronically.

Any additional records which are not currently available electronically, please feel free to contact us and we will arrange for the document(s) to be made available to you.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said Court to be hereto affixed at the City of Rochester, NY, this 7th day of February, 2012.

Michael J. Roemer, Clerk
U.S. District Court

/s/ Barbara Keenan
By: Barbara Keenan
Deputy Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

THE UNITED STATES OF AMERICA

INDEX TO RECORD ON APPEAL

USCA Docket No. 11-5134

WDNY Case No. 10-CR-6038-CJS

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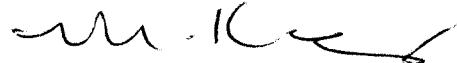
DAVID R. RINERE,

Appellant

INDEX TO RECORD ON APPEAL

1. Indictment No. 10-CR-6038-CJS;
2. Plea Agreement dated 16 February 2011;
3. Government Statement of Parties With Respect to Sentence Factors;
4. Defense Statement With Respect to Sentence Factors dated 17 November 2011;
5. Defense Motion for Extension of Time dated 21 November 2011 (**Sealed**);
6. Defense Sentencing Memorandum dated 21 November 2011;
7. Defense Revised Statement of Parties With Respect to Sentence Factors Pursuant to USSG Section 6A1.2 dated 21 November 2011;
6. Judgment in Criminal Case dated filed 30 November 2011;
7. Notice of Appeal filed 8 December 2011 :
8. Transcript of 16 February 2011 Plea Hearing;
9. Transcript of 21 November 2011 Sentence Hearing.

DATED: February 6, 2012
at Rochester, New York



M. Kirk Okay
Counsel to David R. Rinere

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